

MAR. 15. 2005 6:42PM

CALFEE HALTER GRISWOLD

NO. 6317 P. 1



# CALFEE, HALTER & GRISWOLD LLP

March 15, 2005

TO: United States Patent and Trademark Office

CONFIRMATION PHONE NUMBER: (703) 308-1202

FAX NUMBER: 703-872-9306

SEND ONLY TO THE ABOVE FAX NUMBER: X

**RECEIVED**  
**CENTRAL FAX CENTER**

MAR 15 2005

FROM: Diane H. Dobrea, Reg. No. 48,578, Customer Number 24024  
DIRECT DIAL PHONE NUMBER: 216-622-8485

CLIENT NO.: 25080

MATTER NO.: 04026

CLIENT NAME: NEOUCOM

NUMBER OF PAGES (including this page): 2

**MESSAGE:**

**RE: RESPONSE TO RESTRICTION REQUIREMENT**

|              |   |                                       |                        |
|--------------|---|---------------------------------------|------------------------|
| Appl. No.    | ) | 10/805,949                            | Confirmation No.: 9888 |
| Applicant    | ) | Niehaus                               | TC/A.U.: 1641          |
| Filed        | ) | March 22, 2004                        |                        |
| Examiner     | ) | Melanie J. Yu                         |                        |
| For.         | ) | SELF-CONTAINED ASSAY DEVICE FOR RAPID |                        |
|              | ) | DETECTION OF BIOHAZARDOUS AGENTS      |                        |
| Docket No.   | ) | 25080/04026                           |                        |
| Customer No. | ) | 24024                                 |                        |

**CUSTOMER NUMBER 24024**

This facsimile transmission contains confidential and/or legally privileged information from the law firm of Calfee, Halter & Griswold LLP intended only for the use of the individual(s) named on the transmission sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this facsimile transmission is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately so that we can arrange for the return of the documents to us at no cost to you.

If there is a problem with this transmission, please contact the Fax Department at: 216/622-8426, 216/622-8427, or 216/622-8428. Facsimiles can be received 24 hours per day, 7 days each week at 216/241-0816. Thank you.

Fax Operator's Initials:

Sent By: SM  
Time: 6:40

Logged By: \_\_\_\_\_  
Time: \_\_\_\_\_

1400 McDonald Investment Center • 800 Superior Avenue • Cleveland, Ohio 44114-2688 • 216/622-8200  
Cleveland Fax Number • 216/241-0816

1100 Fifth Third Center • 21 East State Street • Columbus, Ohio 43215-4243 • 614/621-1500  
Columbus Fax Number • 614/621-0010

MAR. 15. 2005 6:43PM

CALFEE HALTER GRISWOLD

RECEIVED  
CENTRAL FAX CENTER NO. 6317 P. 2

MAR 15 2005

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this Response is being transmitted via facsimile to the facsimile central number (703) 872-9306 to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 15th day of March, 2005.

Signed: Diane H. Dobrea

Customer Number

24024

Printed Name:

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|              |   |  |                        |
|--------------|---|--|------------------------|
| Appl. No.    | ) | 10/805,949                                   | Confirmation No.: 9888 |
| Applicant    | ) | Niehaus                                      | TC/A.U.: 1641          |
| Filed        | ) | March 22, 2004                               |                        |
| Examiner     | ) | Melanie J. Yu                                |                        |
| For.         | ) | <b>SELF-CONTAINED ASSAY DEVICE FOR RAPID</b> |                        |
|              | ) | <b>DETECTION OF BIOHAZARDOUS AGENTS</b>      |                        |
| Docket No.   | ) | 25080/04026                                  |                        |
| Customer No. | ) | 24024  |                        |

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

Dear Sir:

In response to the Restriction and Election of Species mailed December 15, 2004, Applicant hereby elects Group I, Claims 1-22, directed to a device for detecting the presence of a ligand in a sample.

**REQUEST FOR EXTENSION OF TIME**

Pursuant to 37 C.F.R. §1.136(a), Applicant hereby petitions for a two month extension of the statutory period for response to the Restriction and Election of Species mailed December 15, 2004. Please charge our Deposit Account No. 03-0172 the amount of \$225.00 (small entity) and please charge any additional required fees or credit any overpayment to the same account.

Respectfully submitted,

Date: March 15, 2005

By: Diane H. Dobrea

Diane H. Dobrea  
Reg. No. 48,578  
(216) 622-8485  
Customer No. 24024

{DHD2381.DOC;1}

1